

REMARKS

Applicants respectfully traverse the requirement for restriction as to Groups I and II and request the Examiner to examine the invention called for in claim 13 with the invention called for in claims 1 to 12.

In the Requirement for Restriction, the Examiner stated that the "protein of Invention II can be obtained by a materially different method such as by biochemical purification."

Applicants respectfully disagree with the Examiner. Claim 13 calls for: "A fusion protein comprising a signal peptide and galactose oxidase" in which the signal peptide is from an exogenous source. Applicants submit that such a fusion protein is not a naturally produced product and cannot be obtained by biochemical purification unless the fusion protein was made by genetic engineering, such as by the method claimed in claim 1 and by the nucleic acid claimed in claims 10 to 12.

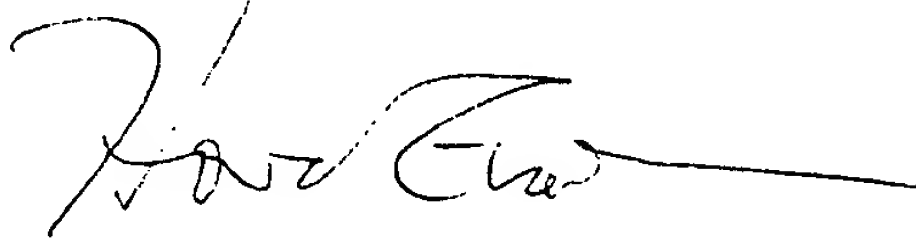
Therefore, because the fusion protein of claim 13 is linked to the inventions of claim 1 to 12, Applicants submit that the restriction requirement as to Groups I and II is improper and should be withdrawn.

CONCLUSION

Applicants provisionally elect for examination the Invention of Group I, claims 1 to 12, for present examination. Applicants traverse the holding of the Examiner that Groups I and II, claims 1 to 12 and 13, respectively, are different invention and should be subject to a

requirement for restriction. The Examiner is requested to reconsider and to withdraw the restriction requirement as to these two groups of claims.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C., 20231 on August 23, 2002.

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